IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

&
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 21162 of 2004

Between:

K.Sreerama Murthy, S/o Venkateswarlu,
R/o Kakarlavari Street, Akiveedu, West Godavari District

..... PETITIONER

AND

1 The Government of Andhra Pradesh, represented by its Secretary, Education Department, Secretariat, Hyderabad
2 The Chief Executive Officer, Zilla Parishad, Eluru, West Godavari District
3 The Mandal Development Officer, Akiveedu Mandal, West Godavari District
4 The Mandal Development Officer, Palekoduru Mandal, West Godavari District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly in the nature of Writ of Certiorari by calling for the records pertaining to the Order dated 05-11-2003 in O.A.No.1678/2001 on the file of Andhra Pradesh Administrative Tribunal, Hyderabad and set aside the same and consequently declare that the termination order is wholly illegal, arbitrary and further declare that the petitioner is entitled to all consequential benefits, including pensionary benefits.

Counsel for the Petitioner:MR.RAVI KONDAVEETI

Counsel for the Respondents 1,3 & 4: GP FOR EDUCATION

Counsel for respondent No.2: Mr.D.Srinivas, S.C. for Zilla Parishad

The Court made the following :

O R D E R: (PER G.B.J)

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1) This writ petition is filed by the petitioner assailing the order, dated 05.11.2004 in O.A.No.1678 of 2001, on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, seeking to set aside the same and consequently declare that the termination order issued by the Panchayat Samithi President, Akiveedu, dated 03.10.1975 as illegal and arbitrary.

2) The case of the petitioner is that against the order of termination, dated

03.10.1975, he approached the Tribunal by preferring O.A.No.1678 of 2001. The Tribunal dismissed the said O.A., holding that the case of the petitioner for setting aside the termination order is absolutely barred by limitation and is estopped from questioning the termination orders after a lapse of nearly 17 years. Holding so, the Tribunal dismissed the O.A. Aggrieved by the same, this writ petition is filed.

3) On going through the record it is seen that after a long gap of 16 years, the petitioner made several representations to the concerned authorities, seeking to set aside the termination orders, dated 30.09.1975. Hence, we are of the view that the Tribunal rightly dismissed O.A.No.1678 of 2001 and we do not find any flaw in the order passed by the Tribunal.

4) The writ petition is accordingly dismissed. No costs.

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G.BIKSHAPATHY.J.,

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P.S.NARAYANA.J.,

DT.29.12.2004

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To

1 Secretary, Government of Andhra Pradesh, Education Department, Secretariat, Hyderabad
2 The Chief Executive Officer, Zilla Parishad, Eluru, West Godavari District
3 The Mandal Development Officer, Akiveedu Mandal, West Godavari District
4 The Mandal Development Officer, Palekoduru Mandal, West Godavari District

5. 2CCs to the G.P. for Education, High Court of A.P., Hyderabad (OUT)

6.2CD copies

7. The Registrar, A.P. Administrative Tribunal, Hyderabad